PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
REVENUE

NOTIFICATION

No. 2274–F.T. Dated, Howrah, the 21st day of December, 2017

No. 70/2017-State Tax

In exercise of the powers conferred by section 164 of the West Bengal Goods and Services Tax Act, 2017 (West Ben. XXVIII of 2017), the Governor is pleased hereby to make the following rules further to amend the West Bengal Goods and Services Tax Rules, 2017:–

1. These rules may be called the West Bengal Goods and Services Tax (Thirteenth Amendment) Rules, 2017.

2. They shall come into force with immediate effect.

In the West Bengal Goods and Services Tax Rules, 2017,—

(i) in FORM GSTR-1, for Table - 6, the following shall be substituted, namely:–

<table>
<thead>
<tr>
<th>“6. Zero rated supplies and Deemed Exports”</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GSTIN of recipient</strong></td>
</tr>
<tr>
<td>No.</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>6A. Exports</td>
</tr>
<tr>
<td>6B. Supplies made to SEZ unit or SEZ Developer</td>
</tr>
<tr>
<td>6C. Deemed exports</td>
</tr>
</tbody>
</table>
(ii) in FORM GST RFD-01,—

(a) in Table 7, in clause (h), for the words "Recipient of deemed export", the words "Recipient of deemed export supplies/Supplier of deemed export supplies" shall be substituted;

(b) after Statement 1, the following Statement shall be inserted, namely:—

"Statement 1A [rule 89(2)(b)]
Refund Type: ITC accumulated due to inverted tax structure [clause (ii) of first proviso to section 54(3)]

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Details of invoices of inward supplies received</th>
<th>Tax paid on inward supplies</th>
<th>Details of invoices of outward supplies issued</th>
<th>Tax paid on outward supplies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. Date Taxable Value Integrated Tax Central Tax State/Union territory Tax</td>
<td>No. Date Taxable Value Integrated Tax Central Tax State/Union territory Tax</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2 3 4 5 6 7 8 9 10 11 12 13</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(c) after Statement 5A, the following Statement shall be inserted, namely:—

"Statement 5B [rule 89(2)(g)]
Refund Type: On account of deemed exports
(Amount in Rs)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Details of invoices of outward supplies in case refund is claimed by supplier/Details of invoices of inward supplies in case refund is claimed by recipient</th>
<th>Tax paid</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. Date Taxable Value Integrated Tax Central Tax State/Union Territory Tax Cess</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2 3 4 5 6 7 8</td>
<td></td>
</tr>
</tbody>
</table>

(d) for the DECLARATION [rule 89(2)(g)], the following shall be substituted, namely:—

"DECLARATION [rule 89(2)(g)]
(For recipient/supplier of deemed export)

In case refund claimed by recipient

I hereby declare that the refund has been claimed only for those invoices which have been detailed in statement 5B for the tax period for which refund is being claimed and the amount does not exceed the amount of input tax credit availed in the valid return filed for the said tax period. I also declare that the supplier has not claimed refund with respect to the said supplies.

In case refund claimed by supplier

I hereby declare that the refund has been claimed only for those invoices which have been detailed in statement 5B for the tax period for which refund is being claimed. I also declare that the recipient shall not claim any refund with respect of the said supplies and also, the recipient has not availed any input tax credit on such supplies.

Signature
Name -

Designation / Status
UNDEARTAKING

I hereby undertake to pay back to the Government the amount of refund sanctioned along with interest in case it is found subsequently that the requirements of clause (c) of sub-section (2) of section 16 read with sub-section (2) of section 42 of the CGST/SGST Act have not been complied with in respect of the amount refunded.

Signature
Name -

Designation / Status

(iii) in FORM GST RFD-01A,—

(a) in Table 7, in clause (g), for the words "Recipient of deemed export", the words "Recipient of deemed export supplies/ Supplier of deemed export supplies" shall be substituted;

(b) after the DECLARATION [rule 89(2)(f)], the following shall be inserted, namely:—

"DECLARATION [rule 89(2)(g)]

(For recipient/supplier of deemed export)

In case refund claimed by recipient

I hereby declare that the refund has been claimed only for those invoices which have been detailed in statement 5B for the tax period for which refund is being claimed and the amount does not exceed the amount of input tax credit availed in the valid return filed for the said tax period. I also declare that the supplier has not claimed refund with respect to the said supplies.

In case refund claimed by supplier

I hereby declare that the refund has been claimed only for those invoices which have been detailed in statement 5B for the tax period for which refund is being claimed and the recipient shall not claim any refund with respect of the said supplies and also, the recipient has not availed any input tax credit on such supplies.

Signature
Name -

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Signature
Name -

Designation / Status

(c) after Statement 1, the following Statement shall be inserted, namely:—
"Statement 1A [rule 89(2)(h)]

Refund Type: ITC accumulated due to inverted tax structure [clause (ii) of first proviso to section 54(3)]

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<td>No.</td>
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<td>Taxable Value</td>
<td>Integrated Tax</td>
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<td></td>
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<td>2</td>
<td>3</td>
<td>4</td>
</tr>
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<td></td>
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<td></td>
<td></td>
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</tbody>
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(d) after Statement 5A, the following Statement shall be inserted, namely:–

"Statement 5B [rule 89(2)(g)]

Refund Type: On account of deemed exports (Amount in Rs)

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<tr>
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</thead>
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<td></td>
<td>No.</td>
<td>Date</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

By order of the Governor,

RAJSEKHAR BANDYOPADHYAY,
Joint Secretary to the Government of West Bengal